

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3594/1dn
MES:cmh:hmh

January 12, 2000

Please review this bill carefully to ensure that it is consistent with your intent. I have based the transfer provisions in created s. 229.27 (4) (b) on s. 229.47, but there are some differences. For example, this bill requires the city to obtain fair market value for the theater if it is transferred to a private, for-profit entity. Is this OK? No such provision exists in s. 229.47 because MECCA could be transferred only to a local exposition district (district), which is a unit of government.

Because the instructions did not indicate to whom the theater could be transferred, the bill specifies that it may be transferred to another person, which includes private entities. You should be aware that if this bill becomes law and if the Pabst Theater is transferred to a private entity, the private entity could retain or terminate any theater employees who are currently City of Milwaukee employees who are covered by a collective bargaining agreement or unilaterally change their terms and conditions of employment. Is this your intent? I did not include from s. 229.47 the language requiring the district to assume the role of employer for MECCA employees who were covered by collective bargaining agreements because, under the bill, the Pabst Theater could be transferred to an entity other than a unit of government. If it were transferred to a private entity, the collective bargaining rights of the employees would be determined under federal law. I don't know if the Pabst Theater currently employs any individuals who *are* employed by Milwaukee and who are covered by collective bargaining agreements, but I thought you should be aware of this issue.

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